

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT W GARRISON,

Plaintiff,

v.

STATE OF WASHINGTON
DEPARTMENT CORRECTIONS et al.

Defendants.

CASE NO. C12-5396 BHS-JRC

ORDER GRANTING PLAINTIFF'S
MOTION TO AMEND THE
COMPLAINT

The District Court has referred this action to United States Magistrate Judge, J. Richard Creatura. The authority for the referral is 28 U.S.C. § 636(b) (1) (A) and (B), and local Magistrate Judge Rules MJR3 and MJR4. Plaintiff files the action of behalf of himself "and all similarly situated prisoners." (ECF No.1, proposed complaint).

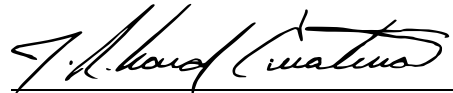
Plaintiff asks that the Court grant him leave to file an amended complaint (ECF No. 5). The Court has not ordered service of this action and plaintiff does not need leave of Court to amend his complaint. Plaintiff may simply file the new complaint and title it as a "First Amended Complaint." Fed. R. Civ. P. 15 (a)(1). The "First Amended Complaint" will be due on

1 or before July 6, 2012. This document will act as a complete substitute for the original complaint
2 and not as a supplement.

3 Plaintiff attempted in his original complaint to file a class action. As a pro se litigant,
4 plaintiff may not represent a class. Torrez v. Corrections Corp. of America, 2010 WL 1009756
5 (D. Ariz. 2010); McShane v U.S. 366 F.2d 286, 288 (9th Cir. 1966). The amended complaint
6 needs to address issues plaintiff has standing to bring on his own behalf. Plaintiff must plead
7 facts showing how the named defendants allegedly violated his rights.

8 If plaintiff believes a class should be certified he may file a motion and he should
9 consider the prerequisites for bring a class action that are set forth in Fed. R. Civ. P. 23.

10 Dated this 8th day of June, 2012.

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12 J. Richard Creatura
13 United States Magistrate Judge
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